

# Exhibit 1

Guillermo Haro  
February 13, 2020

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Robert Steven Cutler, individually	)	Case No.:
and as Administrator of the Estate	)	18-CV-00383-TUC-FRZ
of David A. Cutler, deceased, on	)	
behalf of himself and on behalf of	)	
all beneficiaries of the Estate of	)	
David A. Cutler, deceased, and	)	
Renee Luddington Cutler,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
Mark D. Napier, Sheriff of Pima	)	
County, Arizona, in his official	)	
capacity; Rural/Metro Fire Dept.,	)	
Inc., an Arizona for profit	)	
corporation, Keith Barnes and Jane	)	
Doe Barnes, his spouse, Grand Reed	)	
and Brittany Reed,	)	
	)	
Defendants.	)	
	)	

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VIDEOTAPED DEPOSITION OF GUILLERMO HARO

Chandler, Arizona  
February 13  
10:02 a.m.

	BARTELT NIX COURT REPORTERS
	RRF No. 1028
	111 W. Monroe Street, Suite 425
Prepared by:	Phoenix, Arizona 85003
Helen Pasewark, CR, RPR	Phone: (602) 254-4111
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February 13, 2020

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1 Q. I'm just trying to figure out -- you mentioned  
2 lead, used the term lead.

3 A. Yeah. And basically they're heading up a  
4 project. And RAMPART, it was actually a hub from a  
5 national study. So that was based out of Michigan. It  
6 was the National Institute of Health study. And so we  
7 were the University of Arizona hub. And so Dan Spait  
8 and -- I can't remember the other -- almost on the tip  
9 of my tongue, but I can't quite remember. Dan Spait was  
10 actually the medical lead who was on that hub for  
11 RAMPART. Okay.

12 Q. And then who were the -- who was the lead or  
13 the leads on the EPIC project?

14 A. Dan Spait and Ben Bobrow.

15 Q. Both of them were?

16 A. Yeah. They were the main physicians  
17 associated with that. And it really wasn't a study. It  
18 was more of an educational elevation of traumatic brain  
19 injury to the pre-hospital field.

20 Q. Dr. Spait and Dr. Bobrow are both, I think,  
21 widely regarded as the leading scholars, at least in  
22 Arizona, as it relates to EMS?

23 A. I agree.

24 Q. So the RAMPART study, you participated in  
25 that, it looks like, or at least according to this, from

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1 have an adverse reaction, because I don't know David  
2 Cutler. I don't know his past history. I don't know  
3 anything about him. I'm reaching him cold. He can't  
4 even tell me what the problem is. So now I'm going to  
5 give him this drug. I need to be ready to what? Handle  
6 any complications associated with the drug.

7 I haven't seen David Cutler and gave him  
8 ketamine. I don't think I would have given him ketamine  
9 in this case, because he didn't present like somebody  
10 who needed it.

11 Q. You agree, though, that is a judgment call on  
12 scene?

13 A. That's right. That's medicine. I agree.  
14 It's medicine. It's a judgment call. And so you look  
15 at that and go am I really going to push ketamine on  
16 this guy, on David? And I go, I can. If you think your  
17 judgment that this is excitable delirium, okay. If you  
18 think this guy's combative when he's basically tied down  
19 and laying on the ground, okay, maybe so. But the thing  
20 is this, if I'm going to push that drug, I don't have  
21 any business pushing it unless I have all the  
22 resuscitative equipment around me.

23 Q. Let me -- let's jump into your opinions and  
24 I'm going to, like I said, kind of skip around here. So  
25 we're back under I guess this is page 6, ending 000011.

# Exhibit 2

Bentley Bobrow, M.D.  
May 3, 2019

IN THE UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Robert Steven Cutler,       )  
  ) No. 18-CV-00383-TUC-FRZ  
                          Plaintiff,    )  
  )  
vs.                                )  
  )  
  )  
Pima County, et al.,        )  
  )  
                          Defendants.)  
\_\_\_\_\_)

VIDEOTAPED DEPOSITION OF BENTLEY BOBROW, M.D.

Phoenix, Arizona  
May 3, 2019  
8:05 a.m.

Prepared by:  
SHELLEY HAVERMANN, CR  
Certificate No. 50432

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1 Recognized Centers of Excellence for the  
2 University of Arizona.

3 Q. Okay. Great. Thank you. And when you  
4 say you took this role here, I assume you're  
5 talking about the Department of Health Services  
6 for the State of Arizona. Is that correct?

7 A. Yes.

8 Q. All right. And did you take on that role  
9 in or around --

10 A. 2004.

11 Q. 2004. Okay. And that's up to today,  
12 correct?

13 A. Yes.

14 Q. And please explain to me what it is  
15 exactly you do in your role for these -- Arizona  
16 Department of Health Services.

17 A. So my -- there's multiple aspects in my  
18 role, but some of those include overseeing EMT  
19 and paramedic certification and enforcement, as  
20 well as -- as well as chairing the statutory  
21 committees for the Bureau of EMS and Trauma  
22 System.

23 Q. Okay. All right. Thank you. When  
24 you -- you mentioned one of your roles here was  
25 enforcement.

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1 A. Yes.

2 Q. Could you go into a little more detail on  
3 that.

4 A. So we have roughly -- roughly 18,000  
5 certified EMTs and EMT paramedics in the state.  
6 And when they have -- when there are complaints  
7 about their care or even issues revolving around  
8 behavior or law enforcement-related issues, then  
9 I am responsible for helping adjudicate those.

10 Q. Okay. And so as part of that function,  
11 are you required to understand the standard of  
12 care that's applicable to EMTs and/or paramedics  
13 that are out there and certified by the  
14 Department of Health Services?

15 A. Yes.

16 Q. Okay. All right. Now, are you familiar  
17 with a case of a paramedic by the name of  
18 Grant Reed?

19 A. Yes.

20 Q. Okay. And can you tell me, how did you  
21 first become involved in that particular matter?

22 A. Well, our state statutes dictate that  
23 it's my responsibility to open and oversee cases  
24 related to EMTs in the state of Arizona. So  
25 it's my -- it's my responsibility to do this.



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1 Q. Okay. And did you open this particular  
2 case for Mr. Grant Reed?

3 A. This case was opened in an unusual  
4 manner. This is my responsibility. It's my --  
5 it's under my jurisdiction. This case was  
6 different than most cases in that it was opened  
7 not with a complaint, which is normally how the  
8 cases are opened. It was opened when our office  
9 became aware of an article -- an article that  
10 was written about this case.

11 Q. Okay. Is that a newspaper article that  
12 appeared in Tucson? Is that your recollection?

13 A. I believe it was, yes.

14 Q. Okay. So -- okay. So -- and, typically,  
15 when you say -- let me back up. That's a bad  
16 question. Because it sounds like to me like  
17 you're -- when a complaint comes in, you're sort  
18 of like the gatekeeper in a sense of, you know,  
19 reviewing the matter and deciding whether -- is  
20 it that you look at it and then just decide  
21 whether or not an investigation is even going to  
22 go forward, or how does that process normally  
23 work?

24 A. So I -- it's not only me. We have an  
25 enforcement team --

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1 different mechanisms. It causes your metabolism  
2 to speed up. It causes all kinds of central  
3 nervous system changes. It causes lots of  
4 different changes. It would be an  
5 oversimplification to say it simply takes away  
6 your body's ability to cool itself. But LSD is  
7 definitely associated with hyperthermia.

8 Q. And what is the interplay between  
9 hyperthermia and excited delirium, if there is  
10 any?

11 A. Well, there is. It's one of the things  
12 that's common in excited delirium, again,  
13 agitation, confusion, you know. People are --  
14 they have enormous strength. They -- for some  
15 reason, they take their clothes off. They take  
16 all their clothes off and they're very, very  
17 hot. And so -- hyperthermia is one of the  
18 criteria for agitated delirium -- excited --  
19 excuse me, excited delirium.

20 Q. And as far as the treatment for excited  
21 delirium, treating the hyperthermia is part of  
22 that treatment, is it not?

23 MR. REYNOLDS: Object to form.

24 THE WITNESS: The main treatment is to  
25 get control of the person. Like, if you just

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1 try to start cooling them, that's not going  
2 to -- that's not going to do the trick. It's to  
3 get control of them so that they're -- you calm  
4 their -- you calm them down. They're having a  
5 massive surge of adrenaline. And so unless you  
6 take care of that metabolic derangement, you're  
7 not going to cool them down.

8 Q. BY MR. ZWILLINGER: I'm just trying to go  
9 through my questions and not duplicative ones,  
10 so just give me a moment.

11 MR. ZWILLINGER: Would you please mark  
12 that. Is that 5?

13 THE REPORTER: Yes.

14 (WHEREUPON, Exhibit No. 5 was marked for  
15 identification.)

16 Q. BY MR. ZWILLINGER: I'm handed you what's  
17 been marked as Exhibit 5. And I will tell you  
18 that this is the hyperthermia order received  
19 from Northwest Medical Center.

20 Have you seen this protocol before?

21 A. No.

22 Q. Did you -- so you did not review this  
23 protocol as part of your review of Mr. Reed?

24 A. No. I reviewed the altered mental status  
25 protocol that I believe they were operating